

## Message Text

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ACTION AF-10

INFO OCT-01 ISO-00 SSO-00 FBO-02 A-01 CA-01 OPR-02  
SY-05 CIAE-00 INR-10 NSAE-00 INRE-00 PM-05 DODE-00  
SS-15 OC-06 CCO-00 L-03 PER-01 NSCE-00 /062 W  
-----106721 211413Z /43 40  
O 211332Z FEB 78  
FM AMEMBASSY ADDIS ABABA  
TO SECSTATE WASHDC IMMEDIATE 7390

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E.O. 11652: N/A  
TAGS: ABLD, AEMR, AFSP, ASEC, ET  
SUBJECT: ETHIOPIAN ARMY OCCUPATION OF AMCONGEN ASMARA

REF: ADDIS ABABA 6983 AND PREVIOUS

1. ONE HOUR AFTER DEPARTURE FEB 21 FROM ADDIS OF LAST MEMBER OF PRESIDENT'S EMISSARY PARTY, MOFA AMERICAN DESK OFFICER CALLED IN POLCOUNS TO NOTIFY HIM OF EPMG DECISION TO NATIONALIZE ALL BUILDINGS LOCATED WITHIN AMCONGEN ASMARA COMPOUND, INCLUDING CONGEN BUILDING ITSELF. DESK OFFICER INDICATED THAT EPMG STOOD READY TO PAY ADEQUATE COMPENSATION FOR BUILDINGS THEREBY TAKEN OVER. HE CITED ARTICLE 21, PARA 4, OF THE VIENNA CONVENTION ON CONSULAR RELATIONS OF 1963 AS AUTHORIZATION FOR EPMG ACTION (AMERICAN DEPT HEAD HAD HINTED STRONGLY TO CHARGE ON FEB 18 AT END OF SPECIAL EMISSARY'S MEETING WITH FOREIGN MINISTER THAT ETHIOPIAN NATIONALIZATION WAS IN THE WIND. IT IS OBVIOUS, THEREFORE, THAT DECISION TO CONVEY MESSAGE WAS DELAYED UNTIL SPECIAL EMISSARY'S PARTY HAD DEPARTED.)

2. DESK OFFICER FURTHER SAID THAT DECISION DID NOT APPLY TO FURNITURE IN BUILDINGS. HOWEVER, MILITARY SITUATION AROUND ASMARA WOULD MAKE IT IMPOSSIBLE FOR  
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EMBOFF TO TRAVEL TO ASMARA TO ARRANGE FOR REMOVAL OF FURNITURE AT ANY TIME IN IMMEDIATE FUTURE. DESK OFFICER ALSO SUGGESTED THAT USG MIGHT WISH TO DONATE FURNITURE TO EPMG, IN WHICH CASE QUESTION OF REIMBURSEMENT COULD ALSO BE DISCUSSED DURING COMPENSATION NEGOTIATIONS FOR BUILDINGS.

3. POLCOUNS REPLIED HE WAS CERTAIN, ON BASIS OF EARLIER INSTRUCTIONS, USG WOULD NOT BE ABLE TO ACCEPT EPMG DECISION, WHICH CONSTITUTED CLEAR VIOLATION OF ACCEPTABLE INTERNATIONAL PRACTICE AND OF 1953 BILATERAL TREATY OF AMITY AND ECONOMIC RELATIONS. HE POINTED OUT THAT EMBASSY'S NOTE OF DECEMBER 15 AND AIDE MEMOIRE OF DECEMBER 21 REQUESTED FULL EXPLANATION OF REASONS LEADING TO OCCUPATION OF FOUR RESIDENTIAL BUILDINGS ON COMPOUND, AND REQUESTED THAT ARMY VACATE CONGEN COMPOUND PROMPTLY. DESK OFFICER RESPONDED THAT SINCE ACTION HAD ALREADY BEEN TAKEN AND DECISION MADE, NO EXPLANATION APPEARED NECESSARY.

4. TO POLCOUNS'S REMONSTRANCE THAT USG WISHED TO RETAIN PROPERTY FOR POSSIBLE REOPENING OF CONGEN UNDER MORE FAVORABLE CIRCUMSTANCES AT SOME FUTURE DATE, DESK OFFICER SAID EPMG DID NOT FORESEE SITUATION WHERE REOPENING OF CONSULATES IN ASMARA WOULD BE DESIRABLE. POLCOUNS MENTIONED REPORTS THAT EPMG RECENTLY WAS SURVEYING POSSIBLE SITES FOR ETHIOPIAN CONSULATE ON WEST COAST OF US, DESK OFFICER INDICATED THAT IF EPMG SHOULD DECIDE TO OPEN CONSULATE, QUESTION OF RECIPROCITY COULD BE SUBJECT OF NEGOTIATIONS.

5. ALTHOUGH POLCOUNS PRESSED TO OBTAIN PERMISSION FOR EMBOFFS TO TRAVEL TO ASMARA TO INVESTIGATE CONDITION LIMITED OFFICIAL USE

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OF PROPERTY AND FURNITURE AND TO ARRANGE FOR FURNITURE'S REMOVAL FROM COMPOUND AND SAFE STORAGE ELSEWHERE, DESK OFFICER WAS ADAMANT IN HIS REFUSAL, BUT MENTIONED POSSIBILITY THAT FORMER CONGEN LOCAL EMPLOYEES MIGHT BE ABLE TO MAKE NECESSARY ARRANGEMENTS ON SPOT.

6. DESK OFFICER ADDED THAT IT WAS DESIRE OF MINISTRY OF NATIONAL DEFENSE THAT QUESTION OF ADEQUATE COMPENSATION FOR EXPROPRIATED PROPERTY BE DEALT WITH THROUGH COMPENSATION COMMISSION, BUT HE DID NOT EXCLUDE POSSIBILITY OF CREATING INDEPENDENT BODY BY MUTUAL AGREEMENT TO DEAL WITH THIS PARTICULAR CASE.

7. POLCOUNS CLOSED MEETING BY RESERVING HIS POSITION, PENDING FURTHER INSTRUCTIONS FROM WASHINGTON.

8. REQUEST GUIDELINES FOR RESPONDING, PARTICULARLY WITH RESPECT TO LEGAL VALIDITY OF EPMG'S POSITION. EMBASSY RECORDS SHOW THAT ETHIOPIA IS NOT PARTY TO VIENNA CONVENTION.  
MATHERON

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NNN

## Message Attributes

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**Capture Date:** 01 jan 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** n/a  
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**Decaption Date:** 01 jan 1960  
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**Disposition Date:** 20 Mar 2014  
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